

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MESHA TAYLOR,

Plaintiff,

v.

Case 2:17-cv-02386

WAL-MART STORE EAST, L.P.,

Defendant.

**ORDER GRANTING MOTION TO STRIKE PLAINTIFF’S RESPONSE IN
OPPOSITION TO DEFENDANT’S MOTION IN OPPOSITION TO TOLL STATUTE
OF LIMITATIONS**

Before the Court is Defendant’s Motion to Strike Plaintiff’s Response in Opposition to Defendant’s Motion in Opposition to Toll Statute of Limitations. (“Motion to Strike”) (Docket Entry “D.E.” #53). Therein, Defendant asserts that Plaintiff’s “Response” filed at Docket Entry #52 violates Rule 7.2(c) and this Court’s Scheduling Order and, in fact, constitutes a Reply to Defendant’s Response to Plaintiff’s Objections to the Magistrate Judge’s Report and Recommendations.

Upon review, Local Rule 7.2(c) only permits a reply to a response to the Magistrate Judge’s Report and Recommendation if leave of court has been given. No such leave was requested or provided here. Additionally, the Court’s Scheduling Order prohibits the filing of replies, except to motions filed pursuant to Rules 12(b)(6) or Rule 56 of the Federal Rules of

Civil Procedure, unless leave is requested and granted. Accordingly, the Court finds that Defendant's Motion to Strike is well-taken and should be GRANTED.¹

¹ In the Magistrate Judge's July 24, 2018 Report and Recommendation on Plaintiff's Motion to Toll Statute of Limitations, the Court also concluded that this filing failed to comply with Local Rule 7.2(c) and declined to consider it.

IT IS SO ORDERED this 24th day of July, 2018.

s/ Charmiane G. Claxton
CHARMIANE G. CLAXTON
UNITED STATES MAGISTRATE JUDGE